

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TONY RYAN BURCHETT,

Defendant.

CASE NO. CR08-5347BHS

ORDER DENYING WITHOUT  
PREJUDICE DEFENDANT'S  
MOTION TO MODIFY

This matter comes before the Court on Defendant Tony Ryan Burchett's ("Burchett") pro se motion to modify judgment (Dkt. 30).

On October 27, 2008, the Court entered judgment against Burchett. Dkt. 28. On December 12, 2011, Burchett filed a motion to alter that judgment, arguing that he was not receiving credit for time served. Dkt. 30.

Whenever a party has appeared by an attorney, the party cannot thereafter appear or act in his own behalf in the case until after the party requests by motion to proceed on his own behalf. Local General Rule 2(g)(1). Burchett is still represented by an attorney. Therefore, the Court denies Burchett's motion without prejudice as improperly presented. The Clerk is directed to forward a copy of Burchett's motion, Burchett's memorandum, and this order to Burchett's attorney of record.

**IT IS SO ORDERED**

Dated this 14th day of December, 2011.



BENJAMIN H. SETTLE  
United States District Judge